

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

CALVIN WESLEY,)
)
Plaintiff,)
)
v.) Civil Action: 6:23cv00012
)
CITY OF LYNCHBURG, *et al.*)
)
Defendants.)

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Defendants City of Lynchburg, Virginia, Officer Seth Reed, Officer Austin Rowland, and Officer Collin Bryant,¹ by counsel, move pursuant to Rule 56 of the Federal Rules of Civil Procedure for summary judgment and in support thereof state as follows:

1. There is no genuine issue of material fact between the parties and defendants are entitled to judgment as a matter of law.
2. The individual defendants are shielded from liability by the doctrine of qualified immunity.

WHEREFORE, Defendants respectfully move the Court to enter judgment in their favor and grant such other relief as the Court deems appropriate.

¹ The parties filed a Joint Stipulation of Dismissal of Officers Rowland and Bryant on December 14, 2023. (ECF 23.) As the Court has not yet dismissed these officers from this action, to the extent they are still defendants, Officers Rowland and Bryant join the City and Officer Reed in this Motion for Summary Judgment.

CITY OF LYNCHBURG, SETH REED, AUSTIN ROWLAND, and COLLIN BRYANT

By /s/ John R. Fitzgerald

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CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of December, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system.

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